

House File 22

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HOUSE FILE 22

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1 3 AN ACT
1 4 RELATING TO THE AWARDING OF JOINT PHYSICAL CARE OF A CHILD.
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1 6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
1 7
1 8 Section 1. Section 598.41, subsection 5, Code 2003, is
1 9 amended to read as follows:
1 10 5. ~~a. Joint physical care may be in the best interest of~~
~~1 11 the child, but If joint legal custody does not require is~~
~~1 12 awarded to both parents, the court may award joint physical~~
~~1 13 care. When the court determines such action would be in the~~
~~1 14 best interest of the child and would preserve the relationship~~
~~1 15 between each parent and the child, joint physical care may be~~
~~1 16 awarded to both joint custodial parents or physical care may~~
~~1 17 be awarded to one joint custodial parent upon the request of~~
~~1 18 either parent. If the court denies the request for joint~~
~~1 19 physical care, the determination shall be accompanied by~~
~~1 20 specific findings of fact and conclusions of law that the~~
~~1 21 awarding of joint physical care is not in the best interest of~~
~~1 22 the child.~~
1 23 b. If joint physical care is not awarded under paragraph
1 24 "a", and only one joint custodial parent is awarded physical
1 25 care, the parent responsible for providing physical care shall
1 26 support the other parent's relationship with the child.
1 27 Physical care awarded to one parent does not affect the other
1 28 parent's rights and responsibilities as a joint legal
1 29 custodian of the child. Rights and responsibilities as joint
1 30 legal custodian of the child include, but are not limited to,
1 31 equal participation in decisions affecting the child's legal
1 32 status, medical care, education, extracurricular activities,
1 33 and religious instruction.
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2 3 CHRISTOPHER C. RANTS
2 4 Speaker of the House
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2 8 JEFFREY M. LAMBERTI
2 9 President of the Senate
2 10
2 11 I hereby certify that this bill originated in the House and
2 12 is known as House File 22, Eightieth General Assembly.
2 13
2 14
2 15
2 16 MARGARET THOMSON
2 17 Chief Clerk of the House
2 18 Approved _____, 2004
2 19
2 20
2 21 THOMAS J. VILSACK
2 22 Governor